

### **Remarks**

Claim 1 was amended to add the limitation "wherein said solvent comprises acetic acid". Support for this amendment can be found on page 11, lines 1-12 of the disclosure.

### **Status of Claims**

Claims 1- 22 are pending in the application. Each of these claims is under consideration.

### **Claim Rejections – 35 U.S.C. § 103**

Claims 1-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,513,193 to Katschmann et al. (Katschmann).

Katschmann does not teach all the limitations of applicants' invention. In fact Katschamna teaches away from a process containing acetic acid as a solvent. The limitations that are not taught by Katschmann are as follows.

Katschmann discloses in the abstract: "terephthalic acid of high quality is isolated from the oxidation products obtained by the air oxidation of a mixture of p-xylene and an excess of p-toluic acid methyl ester by heating said oxidation products, in the substantial absence of acetic acid". In Katschmann, the p-toluic acid methyl ester serves as the primary component in the process solvent system and teaches against using acetic acid in the solvent system. Applicants' process differs from Katschmann in that our solvent system comprises acetic acid. In applicants' specification, it teaches that "Preferably the solvent is acetic acid mixed with water, in a ratio of about 5:1 to about 99:1, preferably between about 8:1 and about 49:1. Throughout the specification, acetic acid will be referred to as the solvent. "

Therefore, all the elements in the independent claims are not taught in the cited art. Thus, all the elements have not be taught in the dependant claims as well. In addition, there is no reason to modify or combine Katzschnmann because it specifically teaches away from an acetic acid solvent based system.

In light of these arguments, there is no *prima facie* case of obviousness, and applicants respectfully state that the rejections under 35 U.S.C. § 103(a) should be withdrawn.

### Conclusion

The application is in condition for allowance. The Examiner is respectfully requested to reconsider the rejection(s), remove all rejections, and pass the application to issuance.

Respectfully submitted,

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6/26/2008  
Date